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SPECTRUM SERVICES GROUP, INC.

7
8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 SPECTRUM SERVICES GROUP, INC.,

11 Plaintiff,

12 vs.

13 ZURICH AMERICAN INSURANCE
14 COMPANY,

15 Defendant.

Civil Action No. 14-cv-00115-WHO

**PLAINTIFF'S MOTION TO CONTINUE
CASE MANAGEMENT CONFERENCE**

Hearing Date: July 17, 2014
Time: 10:30 a.m.
Courtroom: 2, 17th Floor
Before: Hon. William H. Orrick

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17 Plaintiff Spectrum Services Group, Inc. ("SSG") hereby moves this Court for an Order
18 extending the Case Management Conference to August 19, 2014. The reasons for the motion
19 are as follows:

20 This action is related to *AMEC v. SSG*, Case No. 13-CV-04059-WHO which involves,
21 among other things, breach of contract claims and counterclaims between prime contractor
22 AMEC and subcontractor SSG. This action was filed by SSG against Zurich American
23 Insurance Company ("Zurich"), the Miller Act bond surety for AMEC. Zurich has been
24 served with the complaint but has not responded or otherwise made an appearance in this
25 action. A stay is currently in effect for both this Case No. 13-CV-00115-WHO and the
26 related Case No. 13-CV-04059-WHO.

27 On July 7, 2014, a mediation was held with Randall Wulff, Esq. serving as mediator.
28 The parties to the mediation were: SSG, AMEC, Berkley (SSG's surety) and SST-Pullman (a

1 subcontractor to SSG). The parties reached a settlement of all claims among them, subject to
2 confirmation by executives not present at the mediation. It is anticipated that, as a result of
3 the mediation, AMEC, SSG and SST-Pullman will enter into a Joint Prosecution Agreement
4 to submit their claims against the National Park Service under the Contract Disputes Act.

5 Zurich was not represented by separate counsel at the mediation. Counsel for AMEC,
6 however, has pending a request to Zurich regarding whether it would like Counsel for AMEC
7 to also represent Zurich in this action.

8 For the reasons stated above, plaintiff SSG moves the Court for an Order to extend the
9 date for the Case Management Conference to August 19, 2014. At that time, plaintiff SSG
10 should be able to inform the Court whether the settlement has been confirmed and Counsel
11 for AMEC should be able to inform the Court whether it will represent Zurich in this action.

12 Dated: July 14, 2014

ROGERS JOSEPH O'DONNELL

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14 By: /s/ Patricia A. Meagher

PATRICIA A. MEAGHER

Attorneys for Plaintiff

SPECTRUM SERVICES GROUP, INC.

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18 **IT IS SO ORDERED.**

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21 Dated: July 15, 2014


WILLIAM H. ORRICK
UNITED STATES DISTRICT JUDGE